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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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HBC HAMBURG BULK CARRIERS  
GMBH & CO. KG,

Plaintiffs,

-against-

PROTEINAS Y OLEICOS S.A. DE  
C.V.,

Defendants.

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04 CV 6884 (NRB)

**\*\*\*ECF CASE\*\*\***

**REPLY DECLARATION  
IN SUPPORT OF  
MOTION TO VACATE  
ATTACHMENT**

JACK A. GREENBAUM deposes and says:

1. I am a member of the bar of this Honorable Court and of Healy & Baillie, LLP, attorneys for Defendant, Proteinas Y Oleicos S. A. De C. V. This Reply Declaration and the accompanying Reply Declaration of Alexandro Bermudez Cabrera is submitted in support of Defendant's motion pursuant to Supplemental Rule E(4)(f) and Local Admiralty and Maritime Rule E.1 for an order (1) vacating Process of Maritime Attachment and Garnishment; (2) releasing several electronic funds

transfers frozen by garnishees Citibank and Bank of America; (3) directing that no additional electronic funds transfers be frozen; (4) barring the issuance and/or service of any future Process of Maritime Attachment and Garnishment; and (5) dismissing the action for lack of personal jurisdiction.

2. Annexed hereto as Exhibit 1 are the documents produced by garnishee Citibank in connection with the seizures of two electronic fund transfers by Unilever de Mexico S. de R. L. de C. V. on January 4, 2005, after Proteinas filed its motion to vacate the Process of Maritime Attachment.
3. Annexed hereto as Exhibit 5 is an extract from a hearing transcript containing the ruling of District Judge Batts in Pioneer Trading (Asia Pacific), Ltd. v. Seyang Company, Ltd., 04 CV 5655 (DAB) (S.D.N.Y. August 19, 2004) The entire transcript was sent to Plaintiff's attorney on December 30, 2004.

Pursuant to 28 U. S. C. § 1746 (1), I declare under penalty of perjury that the foregoing is true and correct.

Executed at New York, N. Y. on January 25, 2005.

  
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JACK A. GREENBAUM (JG 0039)